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PATENT

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231 ON THE DATE INDICATED BELOW.

BY:

*Louisa Driscoll*

DATE:

*April 15, 2002*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re	: Patent Application of	: Attn: Box Missing Parts
	: Sean A. McCarthy <i>et al.</i>	:
	:	:
Conf. No.:	: 5729	:
	:	:
Appln. No.	: 10/042,431	:
	:	:
Filed	: October 25, 2001	: Attorney Docket No.
	:	: 10147-6U2
For	: NOVEL GENES ENCODING PROTEINS	: (MBIO1999-030CP2)
	: HAVING DIAGNOSTIC, PREVENTIVE,	:
	: THERAPEUTIC AND OTHER USES	:

**TRANSMITTAL OF MISSING PARTS OF  
APPLICATION - FILING DATE GRANTED**

In response to the Notice to File Missing Parts dated February 14, 2002, we submit herewith the following:

- ☒ [ X ] Copy of the Notice to File Missing Parts of Application -- Filing Date Granted, mailed February 14, 2002.
- ☐ [ ] No Notice to File Missing Parts has been received.
- ☒ [ X ] Executed Declaration and Power of Attorney.
- ☐ [ ] Verified English translation of application as filed.
- ☐ [ ] Priority document(s): Certified copy(ies) of \_\_\_\_\_ patent application No(s). \_\_\_\_\_, filed in \_\_\_\_\_ on \_\_\_\_\_ from which priority is claimed under 35 U.S.C. § 119.
- ☐ [ ] Formal drawings: \_\_\_\_\_ sheets
- ☐ [ ] Information Disclosure Statement, PTO-1449, and cited references.
- ☐ [ ] Preliminary Amendment.
- ☐ [ ] Nucleotide and/or Amino Acid Sequence Submission, including:
  - ☐ [ ] Computer readable copy    ☐ [ ] Paper Copy    ☐ [ ] Verified Statement
- ☐ [ ] Petition for Extension of Time along with requisite fee.
- ☐ [ ] Request for Refund.
- ☐ [ ] Request for Corrected Filing Receipt. Attached is a marked-up copy of the Filing Receipt showing corrections.

☐ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☐ a Non-Profit Organization.

☐ Other: \_\_\_\_\_

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:			BASIC FEE:	
			\$370.			\$740	
Total	-20 =		X9	\$	OR	X18	\$
Independent	- 3=		X42	\$	OR	X84	\$
<input type="checkbox"/> Multiple Dependent Claims Present			\$140	\$	OR	\$280	\$
			TOTAL	\$	OR	TOTAL	\$

☒ The following fees noted below are being paid.

☒ Surcharge of \$130 for late filing of filing fee and/or Declaration and Power of Attorney.

☐ Surcharge of \$130 for late filing of English translation.

☐ Extension of Time fee in the amount of \$\_\_\_\_.00 (Petition for Extension of Time is attached).

☐ Filing Fee in the amount of \$\_\_\_\_.00 calculated above.

☒ Enclosed is our firm's check in the amount of \$130.00 for the above fee(s).

☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. 210147.0082) as noted below. A duplicate copy of this sheet is enclosed.

☐ The above-calculated fee(s) calculated totaling \$\_\_\_\_.00.

☒ Any overpayments or deficiencies in the above-calculated fee(s).

☒ Any additional fees required under 37 C.F.R. § 1.16 or § 1.17.

☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

Respectfully submitted,

SEAN A. MCCARTHY ET AL

By: \_\_\_\_\_

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Registration No. 40,961

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COMMISSIONER FOR PATENTS  
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WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/042,431	10/25/2001	Sean A. McCarthy	10147-6U2

**CONFIRMATION NO. 5729**

000570  
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2005 MARKET STREET, SUITE 2200  
PHILADELPHIA, PA 19103

**FORMALITIES LETTER**



\*OC000000007474127\*

Date Mailed: 02/14/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

*N*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/23/2002 HVUONG1 00000006 10042431

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